

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PATRICK HOLNESS,	:	1:13-cv-1491
	:	
Plaintiff,	:	
	:	Hon. John E. Jones III
v.	:	
	:	Hon. Martin C. Carlson
JOHN WETZEL, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

October 17, 2013

AND NOW, upon consideration of the Report and Recommendation of Chief United States Magistrate Judge Martin C. Carlson (Doc. 12), recommending that Plaintiff's Amended Complaint (Doc. 11) be dismissed with prejudice and without leave to amend, and, after an independent review of the record, and noting that Plaintiff filed objections¹ (Doc. 13) to the report on October 16, 2013, and the Court finding Judge Carlson's analysis to be thorough, well-reasoned, and fully

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. *Supinski v. United Parcel Serv.*, Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing *Sample v. Diecks*, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" *Id.* (citing *Shields v. Astrue*, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

supported by the record, and the Court further finding Plaintiff's objections to be without merit² and squarely addressed by Judge Carlson's report **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation of Magistrate Judge Carlson (Doc. 12) is **ADOPTED** in its entirety.
2. Plaintiff's Amended Complaint (Doc. 11) is **DISMISSED WITH PREJUDICE**.
3. The Clerk of Court is directed to **CLOSE** the file on this case.

s/ John E. Jones III
John E. Jones III
United States District Judge

² Plaintiff's objections to the R&R do nothing more than repeat his sweeping claims that he is a state prisoner in "long-term, supermax, solitary confinement" and that his constitutional rights were violated by prison officials. Similar to the narrative in his Amended Complaint, Plaintiff makes no targeted factual averments against any named Defendants within this submission, and merely demands that we "accept my penological complaint of authenticity and send all court-filing papers to the highest state-appointed officials." (Doc. 13, p. 2). Because Plaintiff makes no availing argument against the Magistrate Judge's clearly correct analysis and reasoning, we shall reject his objections *in toto*.